

**AN ORDINANCE OF THE CITY OF COPPELL, TEXAS**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF COPPELL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF COPPELL, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM PD-264-RBN-5 (PLANNED DEVELOPMENT 264- RESIDENTIAL URBAN NEIGHBORHOOD) TO PD-264R-RBN-5 (PLANNED DEVELOPMENT 264 REVISED-RBN5-RESIDENTIAL URBAN NEIGHBORHOOD), TO ALLOW THE REMOVAL OF FIVE (5) CYPRESS TREES WITH A FEE WAIVER ON 7.1 ACRES OF PROPERTY LOCATED ON COMMON AREA LOT 1X, BLOCK D, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” ATTACHED HERETO; PROVIDING FOR AN AMENDMENT TO THE TREE SURVEY ATTACHED HERETO AS EXHIBIT “B”, PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Planning and Zoning Commission and the governing body of the City of Coppel, Texas, in compliance with the laws of the State of Texas and pursuant to the Comprehensive Zoning Ordinance of the City of Coppel, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, the said governing body is of the opinion that Zoning Application No. PD-264R-RBN-5 should be approved, and in the exercise of legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map should be amended.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COPPELL, TEXAS:**

**SECTION 1.** That the Comprehensive Zoning Ordinance and Map of the City of Coppel, Texas, duly passed by the governing body of the City of Coppel, Texas, as heretofore amended, be and the same is hereby amended by granting a change in zoning from PD-264-RBN-5 (Planned Development 264-Residential Urban Neighborhood) to PD-264R-RBN-5 (Planned Development 264 Revised-Residential Urban Neighborhood), to allow the removal of five (5) cypress trees

without a tree mitigation fee on 7.1 acres of property located on common area Lot 1X, Block D for the property described in exhibit “A” attached hereto and made a part hereof for all purposes.

**SECTION 2.** That PD-264R-RBN5 (Planned Development-264 Revised-Urban Residential District) is hereby approved subject to the following development regulations:

- A. That accept as amended herein, the property and PD-264R-RBN5 shall be developed in accordance with Ordinance 91500-A-629 with the previous development regulations, which are hereby incorporated herein as set forth in full and hereby republished.
- B. Five (5) cypress trees shall be allowed to be removed without a tree mitigation fee as depicted in Exhibit ‘B’, Tree Removal Exhibit.

**SECTION 3.** In addition, the Tree Removal Exhibit set forth therein, is hereby adopted, attached hereto as Exhibit “B, as development regulations; and the trees be allowed to be removed without the payment of tree removal fees.

**SECTION 4.** That the above property shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Coppell, as heretofore amended, and as amended herein.

**SECTION 5.** That the development of the property herein shall be in accordance with building regulations, zoning ordinances, and any applicable ordinances except as may be specifically altered or amended herein.

**SECTION 6.** That all provisions of the Ordinances of the City of Coppell, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 7.** That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect

the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

**SECTION 8.** An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 9.** That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Coppell, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand and No/100 Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 10.** That this ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

**DULY PASSED** by the City Council of the City of Coppell, Texas, this the \_\_\_\_\_ day of \_\_\_\_\_, 2023

**APPROVED:**

\_\_\_\_\_  
Wes Mays, Mayor

**ATTEST:**

\_\_\_\_\_  
ASHLEY OWENS, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
ROBERT E. HAGER, City Attorney